

60,130-1004 (96AUT013)

APPLICANTS: Ruppert et al.
SERIAL NO.: 09/781,795
FILED: February 12, 2001
ART UNIT: 3618
EXAMINER: Vanaman, Frank Bennett
FOR: LOW FLOOR DRIVE UNIT ASSEMBLY FOR AN
ELECTRICALLY DRIVEN VEHICLE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

Dear Sir:

Appellant submits this Appeal Brief pursuant to the Notice of Appeal filed January 4, 2005. Fees for the Appeal Brief were paid with the filing of the first Appeal Brief on January 22, 2004. Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

REAL PARTY IN INTEREST

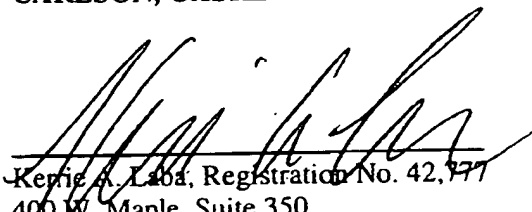
The real party in interest is Meritor Heavy Vehicle Systems, LLC, the assignee of the entire right and interest in this Application.

CONCLUSION

For the reasons set forth above, the rejection of all claims is improper and should be reversed. Appellant earnestly requests such an action.

Respectfully submitted,

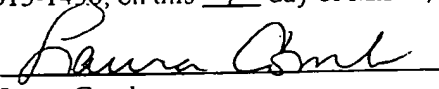
CARLSON, GASKEY & OLDS


Kerrie A. Loba, Registration No. 42,977
400 W. Maple, Suite 350
Birmingham, MI 48009
(248) 988-8360

Dated: March 1, 2005

CERTIFICATE OF MAIL

I hereby certify that the enclosed Appeal Brief is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 1 day of March, 2005.


Laura Combs